

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

KEVIN RIZZI,

Plaintiff,

vs.

KELLER WILLIAMS, *et. al.*,

Defendants.

Case No.: 2:23-cv-01721-GMN-DJA

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Pending before the Court is the Report and Recommendation (“R&R”), (ECF No. 19), of United States Magistrate Judge Daniel J. Albregts, which recommends dismissing this case without prejudice because Plaintiff failed to provide proof of service as to any Defendant. The Magistrate Judge ordered Plaintiff to show cause why the Court should not recommend dismissal, but Plaintiff did not respond. *See* Fed. R. Civ. P. 4(m)(“[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.”).

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made if the Magistrate Judge’s findings and recommendations concern matters that may not be finally determined by a magistrate judge. D. Nev. R. IB 3-2(b). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S.

1 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a  
2 district court is not required to review a magistrate judge's R&R where no objections have been  
3 filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

4 Here, no objections were filed, and the deadline to do so has passed. (*See* R&R, ECF  
5 No. 19) (setting a September 23, 2024, deadline for objections).

6 Accordingly,

7 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 19), is  
8 **ACCEPTED and ADOPTED** in full.

9 **IT IS FURTHER ORDERED** that this case is **DISMISSED** without prejudice.

10 Dated this 27 day of September, 2024.

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14 Gloria M. Navarro, District Judge  
15 United States District Court  
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